

**Genest Concrete Works, Inc.  
York County  
Sanford, Maine  
A-185-71-L-R/A**

**Departmental  
Findings of Fact and Order  
Air Emission License**

After review of the air emission license renewal application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction:**

Genest Concrete Works, Inc. (Genest), located in Sanford, Maine has applied to renew their air emission license permitting the operation of boilers, concrete batch plants, and rock crushers. Included in this renewal is the removal of the ready mix concrete plant and the diesel generator.

**B. Revised Emission Equipment:**

**Fuel Burning Equipment:**

<b>Equipment</b>	<b>Maximum Capacity (MMBtu/hr)</b>	<b>Fuel Type, %Sulfur</b>	<b>Maximum Firing Rate (gal/hr)</b>
Maintenance Boiler	1.33	#2, 0.5	9.5
Block Plant Boiler	1.0	#2, 0.5	7.1
Steam Generator #1	1.26	#2, 0.5	9.0
Steam Generator #2	1.26	#2, 0.5	9.0

**Rock Crushers:**

<b><u>Designation</u></b>	<b><u>Process Rate (tons/hour)</u></b>	<b><u>Control Device</u></b>	<b><u>Date of Manufacture</u></b>
RC-1	100	Spray Nozzles	Pre-1983
RC-2	75	Spray Nozzles	Pre-1983
RC-3	75	Spray Nozzles	2002

**Concrete Plants:**

Equipment	Process Rate	Control Devices
Block Plant	67 tons/hr	Fabric Filter
Masa Plant	30 tons/hr	Fabric Filter
Paver Plant	6 tons/hr	Fabric Filter

C. Application Classification:

The application for Genest does not include the licensing of increased emissions or the installation of new or modified equipment, therefore the license is considered to be a renewal of current licensed emissions units only.

**II. BEST PRACTICAL TREATMENT**

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in Chapter 100 of the Department regulations. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

A. Maintenance Boiler and Block Plant Boiler

The Maintenance Boiler has a heat input capacity of 1.33 MMBtu/hr and the Block Plant Boiler has a heat input capacity of 1.0 MMBtu/hr. These boilers each have a heat input less than 10 MMBtu/hr and are therefore not subject to New Source Performance Standards (NSPS) Subpart Dc.

A summary of BPT is detailed below:

1. Facility wide fuel limit of 60,000 gallons of #2 fuel oil.
2. MEDEP Chapter 106 regulates fuel sulfur content, however the use of 0.5% sulfur by weight fuel is BPT in this instance due to the shared fuel tank with the other heating equipment.
3. SO<sub>2</sub> emission data was based on fuel sulfur mass balance.
4. PM and PM<sub>10</sub> emission rates were based upon BPT of 0.12 #/MMBtu.
5. NO<sub>x</sub> emission rates were based upon BPT of 0.30 #/MMBtu.
6. CO and VOC emission rates were based upon AP-42 data dated 10/98 for boilers with a heat input less than 100 MMBtu/hr.
7. Opacity from the Maintenance Boiler and Block Plant Boiler each shall not exceed 20% opacity on a six (6) minute block average basis, except for one (1) six (6) minute block average in a 3-hour period.

**B. Steam Generators**

The steam generators each have a heat input capacity of 1.26 MMBtu/hr, drawing fuel from the same tank as the other heaters on site (#2 fuel oil with a maximum sulfur content of 0.5% by weight). These units each have a heat input less than 10 MMBtu/hr and are therefore not subject to NSPS Subpart Dc.

A summary of BPT is detailed below:

1. Facility wide fuel limit of 60,000 gallons of #2 fuel oil.
2. MEDEP Chapter 106 regulates fuel sulfur content, however the use of 0.5% sulfur by weight fuel is BPT in this instance due to the shared fuel tank with the other heating equipment.
3. SO<sub>2</sub> emission data was based on fuel sulfur mass balance.
4. PM and PM<sub>10</sub> emission rates were based upon BPT of 0.08 #/MMBtu.
5. NO<sub>x</sub> emission rates were based upon BPT of 0.20 #/MMBtu.
6. CO and VOC emission rates were based upon AP-42 data dated 10/98 for boilers with a heat input less than 100 MMBtu/hr.
7. Opacity from the steam generators shall not exceed 20% opacity on a six (6) minute block average basis, except for one (1) six (6) minute block average in a 3-hour period.

**C. Rock Crushers**

RC-1 is a portable unit manufactured prior to 1983 with a rated capacity of 100 tons/hr; RC-2 is a portable unit manufactured prior to 1983 with a rated capacity of 75 tons/hr; RC-3 is a portable unit manufactured in 2002 with a rated capacity of 75 tons/hr. EPA NSPS Subpart OOO for Nonmetallic Mineral Processing Plants applies to fixed rock crushers with capacities greater than 25 tons/hr and portable rock crushers with capacities greater than 150 tons/hr, constructed after August 31, 1983. Therefore, RC-1, RC-2 and RC-3 are not subject to NSPS Subparts A and OOO.

The regulated pollutant from the rock crushers is particulate emissions. To meet the requirements of BPT for control of PM emissions from the rock crushers, Genest shall operate and maintain water sprays on the rock crushers as needed. Visible emissions from the rock crushers shall be limited to no greater than 10% opacity on a six (6) minute block average basis.

D. Block, Masa and Paver Concrete Batch Plants

To meet the requirements of BPT for control of particulate matter (PM) emissions from the Block, Masa and Paver Concrete Batch Plants, particulate emissions shall be vented through a baghouse maintained for 99% removal efficiency. Visible emissions from the cement silo baghouse is limited to no greater than 10% opacity on a six (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period. The facility shall take corrective action if visible emissions from the baghouses exceed 5% opacity.

All components of the concrete batch plants shall be maintained so as to prevent PM leaks. Visible emissions from concrete batching operations shall not exceed 20% opacity on a six (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period.

E. Facility Emissions

- 60,000 gallons per year (12 month rolling total) #2 fuel oil, 0.5% sulfur by weight maximum, facility wide.

**Total Annual Emissions**

(Also used to calculate the annual license fee)

Pollutant	Tons per year
PM	0.5
PM <sub>10</sub>	0.5
SO <sub>2</sub>	2.1
NO <sub>x</sub>	1.3
CO	0.2
VOC	0.1

**ORDER**

Based on the above Findings and subject to conditions listed below the Department concludes that the emissions from this above source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards or increment standards, either alone or in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-185-71-L-R/A subject to the following conditions:

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions. [MEDEP Chapter 115]
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [MEDEP Chapter 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [MEDEP Chapter 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [MEDEP Chapter 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. § 353. [MEDEP Chapter 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [MEDEP Chapter 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [MEDEP Chapter 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [MEDEP Chapter 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an

- application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [MEDEP Chapter 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [MEDEP Chapter 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - 2. pursuant to any other requirement of this license to perform stack testing.
  - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - C. submit a written report to the Department within thirty (30) days from date of test completion.
- [MEDEP Chapter 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate

under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

[MEDEP Chapter 115]

- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [MEDEP Chapter 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [MEDEP Chapter 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [MEDEP Chapter 115]
- (16) Maintenance Boiler
- A. Emissions from the Maintenance Boiler shall not exceed the following [MEDEP Chapter 115, BPT]:

<u>Pollutant</u>	<u>lb/hr</u>
PM	0.16
PM <sub>10</sub>	0.16
SO <sub>2</sub>	0.67
NO <sub>x</sub>	0.40
CO	0.05
VOC	0.01

- B. Visible emissions from the stack serving the Maintenance Boiler shall not exceed an opacity of 20% on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 3-hour period. [MEDEP Chapter 101]

(17) Block Boiler

- A. Emissions from the Block Boiler shall not exceed the following [MEDEP Chapter 115, BPT]:

<u>Pollutant</u>	<u>lb/hr</u>
PM	0.12
PM <sub>10</sub>	0.12
SO <sub>2</sub>	0.50
NO <sub>x</sub>	0.30
CO	0.04
VOC	0.01

- B. Visible emissions from the stack serving the Block Boiler shall not exceed an opacity of 20% on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 3-hour period. [MEDEP Chapter 101]

(18) Steam Generator #1 and #2

- A. Emissions from each of the Steam Generators shall not exceed the following [MEDEP Chapter 115, BPT]:

<u>Pollutant</u>	<u>lb/hr</u>
PM	0.10
PM <sub>10</sub>	0.10
SO <sub>2</sub>	0.63
NO <sub>x</sub>	0.25
CO	0.05
VOC	0.01

- B. Visible emissions from the stacks serving the steam generators shall not exceed an opacity of 20% on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 3-hour period. [MEDEP Chapter 101]

(19) Facility Fuel Use Caps [MEDEP Chapter 115, BPT]

Genest shall be limited to an annual fuel use of 60,000 gal/yr (12 month rolling total) of #2 fuel oil with sulfur content not to exceed 0.5% by weight. Fuel use records and receipts (showing the quantity and percent sulfur of the fuel) for the facility shall be maintained to demonstrate compliance.



**(20) Rock Crushers**

- A. Genest shall maintain spray nozzles for particulate control on the rock crushers and operate them as necessary to limit visible emissions to no greater than 10% opacity on a six (6) minute block average basis. [MEDEP Chapters 115 (BPT) and 101]
- B. Genest shall maintain a log detailing the maintenance on the water spray nozzles. The maintenance log shall be kept on-site at the rock crushing location. [MEDEP Chapter 115, BPT]
- C. Genest shall maintain a log detailing and quantifying the hours of operation on a daily basis for the rock crushers. The operation log shall be kept on-site at the rock crushing location. [MEDEP Chapter 115, BPT]
- D. The crushers shall not be attached or clamped via cable, chain, turnbuckle, bolt, or other means (except electrical connections) to any anchor, slab, or structure (including bedrock) that must be removed prior to transportation. [MEDEP Chapter 115, BPT]

**(21) Block Plant, Field Paver Plant, and Masa Paver Plant [MEDEP Chapter 115, BPT]**

- A. Particulate emissions from the cement silos shall be vented through baghouses and all components of the block, field paver, and masa paver plants shall be maintained so as to prevent PM leaks.
- B. To document maintenance of the cement silo baghouses, the licensee shall keep a maintenance log recording the date and location of all bag failures as well as all routine maintenance. The maintenance log shall be located at the facility whenever the facility is in operation.
- C. Opacity from each cement silo baghouse is limited to no greater than 5% opacity on a six (6) minute block average basis.
- D. Fugitive PM emissions from the block plant, field paver plant, and masa paver plant operations shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six (6) minute block average basis, except for one (1) six (6) minute block average in a one (1) hour period.

**(22) General Process Sources**

Visible emissions from any general process source (including conveyor belts) shall not exceed an opacity of 10% on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 1-hour period. [MEDEP Chapter 101 and Chapter 115, BPT]

(23) **Stockpiles and Roadways**

Visible emissions from a fugitive emission source shall not exceed an opacity of 20 percent, except for no more than five (5) minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20 percent in any one (1) hour. [MEDEP Chapter 101]

(24) **Equipment Relocation** [MEDEP Chapter 115, BPT]

A. Genest shall notify the Bureau of Air Quality, by a written notification at least 10 days in advance, prior to relocation of any equipment carried on this license. The notification shall be sent to:

Attn: Relocation Notice  
Maine DEP  
Bureau of Air Quality  
17 State House Station  
Augusta, ME 04333-0017

The notification shall include the address of the equipment's new location and the license number pertaining to the relocated equipment.

B. Written notification shall also be made to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification will be made to the respective county commissioners.

If less than 10 days is necessary for notification, contact the regional inspector by phone to notify of the upcoming relocation. This phone contact with the regional inspector shall be followed up with a written notice of relocation with the appropriate information.

(25) Genest shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order.  
[MEDEP Chapter 115, BPT]

(26) Genest shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605-C).

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A-185-71-L-R/A

Departmental  
Findings of Fact and Order  
Air Emission License

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- (27) Genest shall pay the annual air emission license fee within 30 days of **July 30th** of each year. Pursuant to 38 MRSA §353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for revocation of the license under 38 MRSA §341-D, subsection 3.

DONE AND DATED IN AUGUSTA, MAINE THIS                      DAY OF                      , 2004.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAWN R. GALLAGHER, COMMISSIONER

**The term of this license shall be five (5) years from the signature date above.**

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: February 10, 2004.

Date of application acceptance: February 20, 2004

Date filed with the Board of Environmental Protection \_\_\_\_\_

This order prepared by Mark E. Roberts, Bureau of Air Quality